

EXHIBIT W

In the Matter Of:

UNITED STATES vs STATE OF GEORGIA

1:16-CV-03088-ELR

JANEL ALLEN

January 09, 2023



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1 Q How recently has this coalition discussed gaps
2 in child and adolescent community services in DeKalb
3 County?

4 A We had a meeting last month.

5 Q And that was the topic of discussion at that
6 meeting?

7 A Yes. That's the general topic of the meetings.

8 Q Of the meetings. Understood.

9 And what specific gaps in child and adolescent
10 services in DeKalb County had been identified for these
11 coalition meetings?

12 A Access to after-school programming, summer
13 programming, programming for older teens, connecting them
14 to jobs. Those are generally the things that we look at.
15 Essentially resources for -- for them in the community,
16 access to resources.

17 Q Has expanding the Apex Program or school-based
18 behavioral services broadly been the topic of discussion
19 at these coalition meetings?

20 A No, it has not.

21 Q And has the coalition identified any specific
22 service gaps, which is to say specific services that are
23 not available sufficiently in DeKalb County, other than
24 what you identified?

25 A Generally, those are the main things we focus

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1 on, are just resources. So a lot of it just has to do
2 with access to programming, cost. That's the biggest
3 barrier, so those are the things that we focus on.

4 Q And when you say cost is the biggest barrier,
5 do you mean reimbursement through Medicaid? What are you
6 talking about?

7 A Cost to attend like summer camps.

8 Q Okay.

9 A And after-school programs --

10 Q Uh-huh.

11 A -- for example.

12 Q Does the coalition make any recommendations or
13 proposals as a result of these meetings?

14 A Identifying other community agencies that could
15 be of help to assist the families, that could help
16 address some of the gaps. So, you know, for example,
17 that's when the -- the care managed entities joined so we
18 could get a sense to see if, you know, some of their
19 programs could support, you know, summer camp or after
20 school. So it's identifying other community partners to
21 bring on board to help with -- identify those gaps or be
22 a resource for those gaps.

23 Q And has the Georgia Department of Education
24 ever been identified as a key community partner that
25 should be participating in these discussions?

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1 Q And is Mr. Claybrooks -- is it Mr. or Mrs., I'm
2 sorry?

3 A Mrs.

4 Q Mrs., thank you.

5 And does Ms. Claybrooks still work for DeKalb
6 Community Service Board?

7 A No, she does not.

8 Q Okay. And what was Ms. Claybrooks's role at
9 DeKalb Community Service Board at the time that she sent
10 this e-mail?

11 A She was the director of child and adolescent
12 services.

13 Q The role that you're currently in?

14 A Yes, that is correct.

15 Q Ms. Claybrooks is attaching in this e-mail a
16 sustainability plan, and this is being sent to DBHDD
17 staff, including Layla Fitzgerald and Danté McKay. Is
18 that all correct?

19 A Yes.

20 Q Okay. I want to show you now the
21 sustainability plan which is referenced as an attachment
22 here. Give me one second and I will pull that up as 801.

23 (Plaintiff's Exhibit 801 was marked for
24 identification.)

25 Q BY MR. HOLKINS: Ms. Allen, I just published

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1 what we are marking as Exhibit 801. This is another
2 document produced by the State of Georgia to the United
3 States in this matter. The Bates number is GA03142381.
4 From its title, this appears to be the Georgia Apex
5 Program Sustainability Plan for DeKalb Community Service
6 Board dated 03/27/2018 submitted by Ashunte Claybrooks.

7 Ms. Allen, have you seen this document before?

8 A I have not.

9 Q Does DeKalb Community Service Board currently
10 have a sustainability plan for its Apex Program?

11 A I do not believe so. I have not done one in my
12 current role.

13 Q So in the four years that you've been child and
14 adolescent services director at DeKalb Community Service
15 Board, you have not worked on or submitted a
16 sustainability plan for the Apex Program to DBHDD?

17 A No, I have not.

18 Q Do you know whether a sustainability plan is a
19 requirement of the program deliverables for the Apex
20 Program as designed by DBHDD?

21 A I am aware that they would like us to reach a
22 level of sustainability and not rely solely on grant
23 funding to run the program. Yes, I am aware of that.

24 Q Do you know whether DBHDD specifically requires
25 that providers of Apex have a sustainability plan in

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1 A I believe in those meetings it was Layla.

2 Q Layla Fitzgerald?

3 A Fitzgerald, yes.

4 Q What specific services did Ms. Fitzgerald focus
5 the community service boards on as opportunities for
6 expanding billables under Apex?

7 A I can't recall specifically. It was just a
8 general overview of services in general that we share --

9 Q That could be --

10 A -- the billing for.

11 Q Understood. So it was an overview of the
12 services that could be provided through Apex. Is that
13 accurate?

14 A Yes.

15 Q But you've never had a conversation with anyone
16 at DBHDD about specific strategies for expanding billing
17 services through your Apex Program?

18 A No, I have not.

19 Q So I -- I recognize you didn't draft this
20 document and it's from 2018. I want to direct you,
21 however, to an excerpt on page 3. It starts with
22 "Lastly." And the paragraph reads, "Lastly, it" -- being
23 Apex -- "has changed the method of services for children.
24 Providing therapeutic services within schools was largely
25 uncharted territory for DeKalb CSB before the Apex

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1 project. Now it is seen as a viable option for meeting
2 the needs of children in the county."

3 Do you see that text?

4 A Yes, I do.

5 Q And do you agree that -- with this statement,
6 that Apex has created a viable option for meeting the
7 needs of the children in the county through their
8 schools?

9 A Yes, I do.

10 Q So under "New program activities to be added
11 within current schools" -- this is on page 4 -- I want to
12 direct you to a short paragraph that reads, "We have a
13 data sharing agreement with the school system where we
14 collect outcomes data on students including grades,
15 attendance and discipline referrals."

16 Do you see that text?

17 A Yes.

18 Q Is this the -- does this agreement facilitate
19 the access to the disciplinary referral data that we were
20 discussing earlier?

21 A Yes.

22 Q And this is an agreement that -- that DeKalb
23 Community Service Board has directly with the school
24 systems, correct?

25 A That is correct, yes.

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1 Q DeKalb Community Service Board does not share
2 this data with DBHDD, correct?

3 A No, we do not.

4 Q DBHDD, to your knowledge, has not requested
5 this data in connection with DeKalb Community Service
6 Board's Apex Program, to the best of your knowledge,
7 correct?

8 A To the best of my knowledge, no.

9 Q Has the Georgia State University Center of
10 Excellence requested this data, to the best of your
11 knowledge?

12 A No, they have not, to the best of my knowledge.

13 Q And if -- would you expect if there were a
14 request by DBHDD or the Center of Excellence for the data
15 relating to grades, attendance, and discipline referrals,
16 that that request would be made to you as the lead for
17 the Apex Program at DeKalb Community Service Board?

18 A I'm sorry, can you repeat that question?

19 Q Absolutely. If a request were made by DBHDD or
20 the Center of Excellence for this data, would you expect
21 that request to be made to you as the director of the
22 Apex Program?

23 A Yes.

24 Q Also on page 4 under "Expanding Your Project,"
25 the document references "a partnership with DeKalb County

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1 Schools to expand current project -- our current project
2 to additional schools in order to increase
3 sustainability."

4 Do you see that text?

5 A Yes.

6 Q Does that remain a goal, for the DeKalb
7 Community Service Board to expand the Apex project to
8 include additional schools?

9 A Yes, that is the goal.

10 Q And has DeKalb Community Service Board set a
11 specific target for how many additional schools it would
12 like to add to its Apex Program?

13 A No, not specifically, because that depends on
14 funding.

15 Q Has DeKalb Community Service Board made a
16 specific proposal for adding schools to its Apex Program
17 since 2021?

18 A Not since 2021, no.

19 Q What in -- let's just go back to the beginning
20 of your time as child and adolescent services director.
21 Have there been requests made by DeKalb Community Service
22 Board to add additional schools to its Apex Program?

23 A Yes, when we applied for Apex 3.0.

24 Q How many additional schools was DeKalb
25 Community Service Board looking to serve through its Apex

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1 Program with that Apex 3.0 application?

2 A I believe it was nine additional schools.

3 Q And that application for Apex 3.0 funding,
4 which would allow DeKalb Community Service Board to
5 expand its Apex programs in nine schools, that
6 application was denied, correct?

7 A That is correct.

8 Q Has DeKalb Community Service Board since
9 reapplied for Apex 3.0 funding?

10 A There haven't been additional opportunities to
11 reapply.

12 Q And that initial application was submitted in
13 2020. Is that accurate?

14 A Yes, it was.

15 Q What's --

16 A I'm sorry, it was -- no, it was submitted in
17 2019. Excuse me. Correction.

18 Q Thank you for that correction.

19 So the application for Apex 3.0 funding was
20 submitted by DeKalb Community Service Board in 2019?

21 A Yes, that is correct.

22 Q What's your understanding of why DeKalb
23 Community Service Board's application for Apex 3.0
24 funding in 2019 was denied?

25 A The explanation given was that other providers

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1 that applied had better applications that we did -- than
2 we did, and that with our current line of funding, that
3 we still had room to expand with our current line of
4 funding.

5 Q So it was a competitive application process.
6 Is it fair to say that?

7 A Yes.

8 Q And DBHDD ultimately decided to award the grant
9 fund to other Apex providers?

10 A To other providers, yes.

11 Q And consequently, those nine schools are not
12 currently participating in Apex, correct?

13 A That is correct.

14 Q Could you describe the process the DeKalb
15 Community Service Board used for identifying the nine
16 schools that would have received Apex had this
17 application been granted?

18 A When we let DeKalb schools know we were
19 applying for Apex 3.0 and asked for a letter of support,
20 which was required for the application, they provided the
21 nine schools to us that they would like to potentially
22 expand into.

23 Q Was there any consultation with the -- the
24 school system about why they selected those nine schools?

25 A No, there was not.

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1 Q Has DeKalb Community Service Board undertaken
2 any assessment of the need for Apex services countywide?

3 A No, we have not.

4 Q Do you think it's fair to say that there are
5 schools beyond those nine schools identified for this
6 2019 application that need and could benefit from Apex
7 services in DeKalb County?

8 A Yes.

9 Q Are you familiar with the term "System of
10 Care"?

11 A Yes.

12 Q I'm looking at page 5 of the sustainability
13 plan which references the System of Care efforts
14 undertaken by DeKalb Community Service Board.

15 First, before I ask you about the text here,
16 what's your understanding of what a System of Care is?

17 A It's a philosophy, and I mentioned earlier,
18 it's identifying essentially the gaps in services for
19 children, adolescents and young adults, and working with
20 families and community partners to address those gaps in
21 the system.

22 Q What are, in your view, the key participants in
23 the System of Care approach for children and adolescent
24 service recipients?

25 A It's the -- it's the state -- you know, state

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1 agencies, such as the local school districts, DFCS,
2 Department of Juvenile Justice. It's the local county
3 agencies like juvenile court and other community partners
4 like Boys and Girls Club. Any -- any community
5 stakeholder that has an interest in improving the lives
6 of children and adolescents and families would be
7 included in the System of Care.

8 Q If hypothetically a child who had been
9 participating in Apex through DeKalb Community Service
10 Board was then placed in the GNETS program, would you
11 expect the GNETS program to be a -- a key participant in
12 the System of Care approach for that child's treatment?

13 A Yes.

14 Q I'm going to set this aside. I'm going to show
15 you another document, Ms. Allen. This will be 802.

16 (Plaintiff's Exhibit 802 was marked for
17 identification.)

18 Q BY MR. HOLKINS: For the record, this is
19 GA03147757. It's an e-mail from Ms. Claybrooks, who at
20 the time was the director of child and adolescent
21 services in DeKalb Community Service Board, to Layla
22 Fitzgerald. It's dated 5/15/2018. The subject is
23 "Expansion of School Based Mental Health Services."

24 Ms. Allen, I know you did not receive or send
25 this e-mail. I want to ask you whether this list of

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1 schools is the same -- identifies the same schools that
2 you were referring to either -- earlier that would have
3 received Apex services had DeKalb's Apex 3.0 been
4 granted.

5 A No, it was not.

6 Q This is different?

7 A Yes, it's different.

8 Q Okay. Can you describe -- so this is obviously
9 in 2018, which predates that application. Do you
10 understand -- and I can give you control of the document
11 if you need to take a look. But do you understand this
12 to be a proposal to expand the schools participating in
13 Apex through DeKalb Community Service Board?

14 A Yes, I do, based -- based on the -- the craft
15 of the e-mail, yes.

16 Q And just let me know when you've finished
17 reviewing. I do see a reference to the Apex Program in
18 an earlier e-mail that's read.

19 So let me just re-ask, does this appear to be a
20 proposal to expand DeKalb Community Service Board's Apex
21 Program by adding schools?

22 A Yes.

23 Q Okay. I'm going to take control of the
24 document back. Give me one second.

25 And it appears that this was a proposal that

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1 was made in concert with representatives of DeKalb County
2 Schools. Is that accurate?

3 A Yes.

4 Q So going back up to Ms. Claybrooks' e-mail from
5 May 2018 to Layla Fitzgerald, I want to ask you whether
6 any of the schools that are identified in this e-mail,
7 starting with John Lewis Elementary School through
8 Fairington Elementary School, are currently participating
9 in the Apex Program through DeKalb Community Service
10 Board?

11 A Yes.

12 Q Which ones?

13 A Redan Elementary School.

14 Q And it looks like there are one, two, three,
15 four, five, six -- seven other schools identified in that
16 first list, and none of them are participating in Apex
17 currently through DeKalb Community Service Board,
18 correct?

19 A That is correct.

20 Q And this is a -- is there any overlap between
21 this list and the list of nine schools that were
22 identified in DeKalb Community Service Board's Apex 3.0
23 application in 2019?

24 A No, there is not.

25 Q So if we added up about seven schools from this

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1 list plus nine schools from the 2019 application, so 16
2 schools in total that had been identified as needing Apex
3 services but are not participating in that program
4 currently through DeKalb Community Service Board. Is
5 that accurate?

6 A That is correct. This list, I believe,
7 actually pertains to 2.0, actually. So there were
8 schools added but just not these schools.

9 Q Not these schools. Understood.

10 So this was a request under a separate funding
11 stream, Apex 2.0?

12 A 2.0, yes.

13 Q But it still remains the case that there
14 were -- between these two applications, there were 16
15 schools that were identified as candidates -- good
16 candidates for Apex services which are not receiving them
17 currently through the DeKalb Community Service Board. Is
18 that accurate?

19 A That is correct.

20 Q Just give me a second. I'm going to pull up
21 another document. This will be 802 (sic).

22 (Plaintiff's Exhibit 803 was marked for
23 identification.)

24 Q BY MR. HOLKINS: Ms. Allen, I have just
25 published what we are marking as Exhibit 802 (sic). The